

B3 example, the merchandise is related to the Internet (software application or hardware device) and the customer has purchased it to make it part of hi/her Internet-enabled equipment. The merchandise is enabled to be customized via the Internet, preferably according to specifications from the retailer, and also according to input as to, e.g., the intended usage, supplied by the customer at the time when the specific party was notified.

Marked-up versions of the first and fifth paragraphs are given in Annex B.

REMARKS

Applicant acknowledges the Examiner's approval of the new title on Page 2 of the Examiner's Office Action. However on Page 5, the Examiner requires Applicant to give a new title of the invention that is clearly indicative of the invention to which the claims are directed. Applicant assumes that the Examiner's requirement of Page 5 was done erroneously.

Applicant acknowledges the Examiner's approval of the new abstract.

The specification and Claim 1 have been amended to introduce "computer-implemented method" as suggested by the Examiner. No new matter has been introduced. Claim 1 as amended now overcomes the 101 and 112, first paragraph, rejections and prosecution can be advanced. As used herein "computer-implemented method" should not be seen as limiting the invention.

Claim 1 has also been amended to more clearly define the invention.

Reconsideration is respectfully requested of the rejection of Claims 1-9 under 102(e) as being anticipated by LeMole et al (U.S. No. 6,009,410).

The invention relates to a computer-implemented method of doing business to enable the stimulation of commercial activities. A method of the invention comprises enabling to be notified by a customer of a commercial transaction. Upon notification, an equipment of the customer can then be customized, via a data network, as associated with the commercial transaction.

Lemole relates to a method and system for presenting customized advertising to a user on the Web (col.1, 1.6-8). A customized advertising repository server is connected on the Web, which can be accessed by a registered user through his or her browser either by clicking on an icon, or by inputting the specific URL address of the particular server which stores that user's advertising repository (col.1, 1.57-62).

When the user accessed his or her customized ad repository through the browser, a composite advertising page is dynamically configured by the Customized Advertising Repository (CAR) server for that particular user based on a user's previously provided user profile. Furthermore, at least a portion of that composite advertising page can be dynamically configured on a context mode. This context dependency links the advertising presented to the user by the CAR to the Web site or sites previously accessed by the user. This context dependency can be based on key words associated with just the site accessed immediately prior to entering the commercial context mode (col.2, 1.13-26).

The customized page is created by selecting from among a storehouse of plural different subscribing advertisers and their associated banner ads, images, etc., those particular images or

ads that will be elements of the customized page based on the user's specific areas of interest as determined from the profile, and/or the context dependency (col.2, 1.35-41).

The invention involves a commercial transaction whereas LeMole does not disclose a commercial transaction. In the invention, the customer notifies of a commercial transaction whereas LeMole does not mention the user notifying the CAR server of a commercial transaction. Furthermore, in the invention, the notification of the commercial transaction enables the customizing and the customizing is associated with the commercial transaction. In LeMole the customizing is based on a user profile and/or is context-dependent and is not associated with a commercial transaction. Thus, the invention and LeMole clearly distinguish from each other.


It is respectfully submitted that independent Claim 1 is patentable over LeMole. It is also respectfully submitted that dependent Claims 2-9 are patentable over LeMole at least based on their dependencies.

Applicant respectfully submits that he has answered all issues raised by the Examiner and that the application is accordingly in condition for allowance. Such allowance is therefore respectfully requested.

Please charge any fees other than the issue fee to deposit account 14-1270. Please credit any overpayments to the same account.

Respectfully submitted,

Dated: November 9, 2001

By 
Gwenaelle Le Pennec
Limited Recognition under 37 C.F.R 10.9(b)
(408) 617-4837

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

On

11/09/01
(Mailing Date)

By

Gweneille Le Penne c

APPENDIX A
Version with Markings
to Show Changes Made to the Claims

The following is a marked up version of amended Claim 1:

1. (TWICE AMENDED) A computer~~system~~-implemented method of doing business to enable stimulating commercial activities, the method comprising:
 - ~~enabling to stimulate commercial activities, the enabling comprising:~~
 - enabling to be notified by a customer of a ~~specific~~
~~one of the commercial activities~~ commercial transaction;
 - upon being notified, enabling customizing, via a data network, of equipment of the customer as associated with the commercial ~~activity~~transaction.

APPENDIX B

Version with Markings to Show Changes Made to the Specification

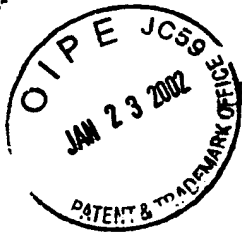
The following is a marked up version of the first paragraph:

The invention relates to a computer~~system~~-implemented method of doing business to stimulate commerce, especially, but not exclusively, as related to sales of merchandise, such as a product of manufacture or a service.

The following is a marked-up version of the fifth paragraph:

The invention provides a computer~~system~~-implemented method of doing business that enables to stimulate commercial activities. According to the method a customer is enabled to notify a specific party, e.g., a manufacturer, importer, or distributor, or a specialized service provider, of a specific commercial activity wherein he or she is or was involved. Upon being notified, the party enables customizing, via a data network such as the Internet, the equipment of the customer as associated with the commercial activity. For example, the specific activity relates to sales of merchandise via a retailer, and the customer notifies the specific party of the purchase of the merchandise from the retailer. When the party has been notified, it enables customizing Internet-enabled or upgradeable electronic equipment of the customer, via the Internet, as associated with the specific retailer from whom the merchandise was purchased. For example, the merchandise is related to the Internet (software application or hardware device) and the customer has purchased it to make it part of

hi/her Internet-enabled equipment. The merchandise is enabled to be customized via the Internet, preferably according to specifications from the retailer, and also according to input as to, e.g., the intended usage, supplied by the customer at the time when the specific party was notified.



**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATE PATENT AND TRADEMARK OFFICE**

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Gwenaelle Le Pennec is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Philips Electronics North America Corporation, to prepare and prosecute any patent applications whose inventors by virtue of their employment have an obligation to assign the applications to Koninklijke Philips Electronics N.V. or companies owned or controlled, directly or indirectly, by Koninklijke Philips Electronics N.V., including but not limited to Philips Electronics North America Corporation (or a subsidiary thereof) and U.S. Philips Corporation, and an attorney or agent of record in the applications is a registered practitioner who is an employee of Philips Electronics North America Corporation. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Gwenaelle Le Pennec ceases to lawfully reside in the United States, (ii) Gwenaelle Le Pennec's employment with Philips Electronics North America Corporation ceases or is terminated, or (iii) Gwenaelle Le Pennec ceases to remain or reside in the United States on an L-1 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: November 29, 2001

Harry Moatz,
Director of Enrollment and Discipline

RECEIVED

JAN 29 2002

Technology Center 2100